

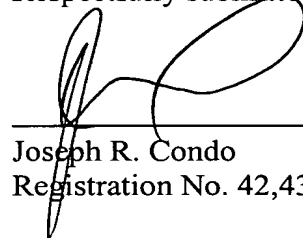
**REMARKS/ARGUMENTS**

After entry of the foregoing amendment, claims 21-38 will be pending in the application. Claims 21, 31, 37, and 38 are independent claims.

Applicant notes that the reasons for allowance of the claims in the parent application, *i.e.*, application no. 09/577,699, indicate that the prior art fails to disclose “receiving a response from a far-end modem in response to a transmitted V.8 ANS<sub>am</sub> tone; and determining from the response signal whether the far-end modem is a commercial modem or a secure modem.” Claims 21 and 37 explicitly recite such limitations. Accordingly, Applicant respectfully submits that claims 21-30 and 37 are allowable.

Similarly, claims 31 and 38 recite “receiving a response signal from a far-end modem in response to a transmitted P1800 Hz tone with phase reversals; and determining from the response signal whether the far-end modem is a commercial modem or a secure modem.” Accordingly, Applicant respectfully submits that claims 31-36 and 38 are also allowable.

Respectfully submitted,



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